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PATENT  
P56367

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

DI PRINZIO, NICOLAS JAVIER

Serial No.: 09/628,146

Examiner: HENDERSON, M.

Filed: 28 July 2000

Art Unit: 3722

For: MAGNETIC PAGE MARKER

**PETITION UNDER 37 CFR §1.181**

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Assistant Commissioner  
for Patents  
Washington, D.C. 20231

Sir:

Applicant respectfully petitions from the failure of the Examiner to provide applicant with a complete patent document as reference cited in a final Office action, (Paper No. 15) dated 3 July 2001, and as reasons therefore, states that:

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Folio: P56367  
Date: 22 May 2000  
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**STATEMENT OF FACTS**

1. In a final Office action (Paper No. 15) dated 3 July 2001, the Examiner cited the following three (3) references:

AU-9047866A, dated July 1990;

JP-09123639A, dated May 1997; and

JP-11078293, dated March 1999.

2. The Examiner provided the applicant with 1) abstract and data of the references in English for all three (3) references, and 2) complete patent documents for the two (2) Japanese references.


3. **A complete copy of Australian Patent Publication No. 9047866A was not provided.**

**RELIEF REQUESTED**

The Commissioner is respectfully requested therefore, to:

- A. Provide Applicant with a complete copy of Australian Patent Publication No. 9047866A;
- B. Re-start the period for response to expire not less than three (3) months from the date on which the reference is provided to Applicant; and
- C. Grant such other and further relief as justice may require.

Respectfully submitted,

  
Robert E. Bushnell,  
Attorney for the Applicant  
Registration No.: 27,774

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